

AN ORDINANCE 2013 - 09 - 19 - 0664

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

\* \* \* \* \*

**WHEREAS**, a public hearing was held after notice and publication regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

**WHEREAS**, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 0.075 of an acre out of Lot D, Block 35, NCB 1937 from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Professional Office.

**SECTION 2.** A description of the property is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

**SECTION 3.** The City Council finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not affect adversely the public health, safety and welfare.

**SECTION 4.** The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of

the main structure.

- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours of operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.

**SECTION 5.** The City Council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Attachment "B"** and made a part hereof and incorporated herein for all purposes.

**SECTION 6.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

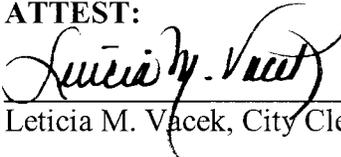
**SECTION 7.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 8.** This ordinance shall become effective September 29, 2013.

**PASSED AND APPROVED** this 19th day of September 2013.

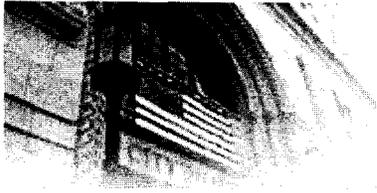
  
M A Y O R  
Julián Castro

**ATTEST:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

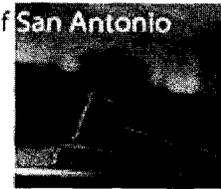
**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Michael D. Bernard, City Attorney  
fm



Request for  
**COUNCIL**  
 ACTION

City of San Antonio



## Agenda Voting Results - Z-1

<b>Name:</b>	Z-1						
<b>Date:</b>	09/19/2013						
<b>Time:</b>	02:18:31 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2013161 CD (District 1): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office on 0.075 of an acre out of Lot D, Block 35, NCB 1937 located on a portion of 1633 West Kings Highway. Staff and Zoning Commission recommend approval with conditions.						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x			x	
Ivy R. Taylor	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				x
Ron Nirenberg	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10	x					

FIELD NOTE DESCRIPTION  
FOR A  
0.075 ACRE TRACT

Being 0.075 Acres (3,268 sq. ft.) of land out of the West 64.86 feet of Lot "D", Block 35, N.C.B. 1937, San Antonio, Bexar County, Texas and being the same Tract of land conveyed to Mario Elizondo, Jr. by Warranty Deed recorded in Volume 13308, Page 1363 of the Official Public Records of Bexar County, Texas and this 0.075 Acre Tract of land being more particularly described as follows:

Beginning at an "x" set on concrete on the east right of way line of N. Zarzamora Street, for the northwest corner of the herein described tract, said point also being the northwest corner of said Lot "D", Block 35, N.C.B. 1937;

**THENCE:** S. 83° 57'53" E., 64.86 feet along the north line of said Lot "D", Block 35, N.C.B. 1937, also being the south line of a 10 ft. wide Alley, to a ½" dia. iron pin set at a fence corner post, for the northeast corner of the herein described tract, said point also being the northeast corner of said Lot "D" and the northwest corner of Lot "C", Block 35, N.C.B. 1937;

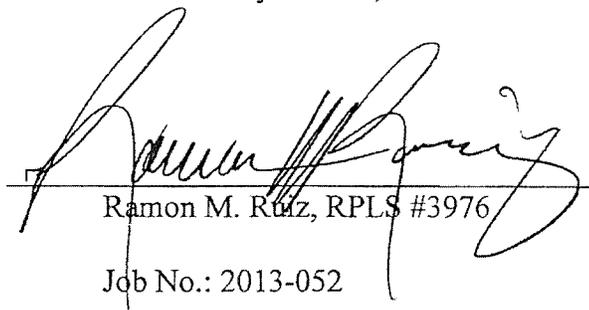
**THENCE:** S. 05° 13'02" W., 50.39 feet along the east line of said Lot "D", Block 35, N.C.B. 1937, to a ½" dia. iron pin set for the southeast corner of the herein described tract;

**THENCE:** N. 83° 57'53" W., 64.87 feet across said Lot "D", Block 35, N.C.B. 1937 and along the south line of the herein described tract, to a ½" dia. iron pin set on the east right of way line of N. Zarzamora Street, for the southwest corner of the herein described tract;

**THENCE:** N. 05° 13'29" E., 50.39 feet along the east right of way line of N. Zarzamora Street, to the Point of Beginning and containing 0.075 Acres (3,268 sq. ft.) of land more or less.



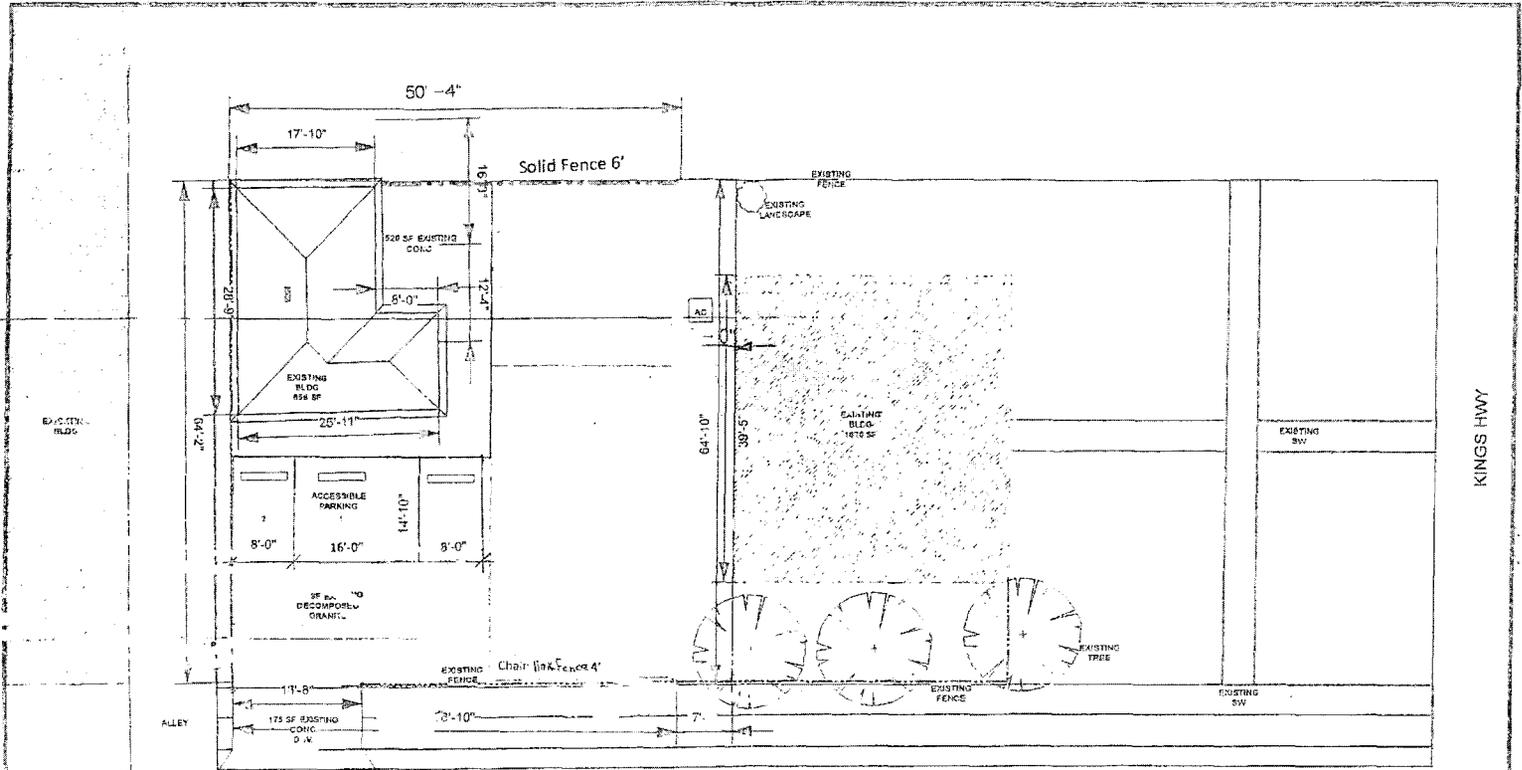
Surveyed on the ground under my supervision  
On this the 21<sup>st</sup>. Day of June, 2013 A.D.

  
Ramon M. Ruiz, RPLS #3976  
Job No.: 2013-052

**ATTACHMENT A**

2013 CD

ATTACHMENT B



ZARZAMORA 0.075 OF AN ACRE OUT OF LOT D  
BLOCK 35 N.C.B. 1937



1 Site Plan  
Scale: 1" = 20 ft

I, Mario Elizondo, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provision of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

RECD Office Professional

Title 1633 W. KINGS HWY		
Drawing Number SP-1	Drawn By	Date 06-01-13
CAD File Name ME SITEPLAN		